GPC ETHICS & REGULATIONS

Module 1

GPC Ethics & Regulations Overview

- Ethics & Standards Of Conduct
- Governing Regulations
- Anti-Deficiency Act (ADA)
- Standard Procurement Rules
- Affirmative Procurement Program

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Joint Ethics Rules and Standards of Conduct

- Federal Acquisition Regulation (FAR) 3.101 – General
  - Government business shall be conducted in a manner above reproach
  - Conducted with complete impartiality
  - No preferential treatment for any business, unless authorized by statue or regulation
    - Defense Automated Printing System (DAPS)
    - National Industries for the Blind (NIB)
    - National Industries for the Severely Handicapped (NISH)

Joint Ethics Rules and Standards of Conduct (cont'd)

- Transaction relating to expenditure of public funds
  - Requires highest degree of trust
  - Impeccable standard of conduct
- Rules
  - Avoid any conflict of interest
  - Avoid any appearance of a conflict of interest

Joint Ethics Rules and Standards of Conduct (cont'd)

- Gifts and Sponsored Events
  - Joint Ethic Rules prohibit accepting one-time gifts of more than $20 from vendor, total not to exceed $50 annually
  - Better not to accept anything; it gives off an appearance of conflict of interest or appearance of something worse like kickbacks

Governing Regulations

- AFI 64-117, Air Force Government-wide Purchase Card Program (06 Dec 02)
- Federal Acquisition Regulation (FAR), Part 8-Required Sources of Supplies and Services and Part 13-Simplified Acquisition Procedures
- Defense Federal Acquisition Regulation Supplement (DFARS) Part 204-Administrative Matters and Part 208–Required Sources of Supplies and Services
- AFI 65-601, Vol. 1, Budget Guidance and Use of Appropriated Funds (24 Dec 02)

Definitions

- *Contract administration office* means an office, other than the contracting office, which awards or executes contracting actions of behalf of the contracting office…

Definitions

- *Contracting action* means any action related to the purchasing, renting, or leasing of supplies, services, or construction…The term includes, but is not limited to, the following:
  - Definitive contracts, including notices of award
  - Letter Contracts
  - Purchase Orders
  - Purchases made using the Governmentwide commercial purchase card

*DFARS 204.670.1

Anti-Deficiency Act (ADA)

- No money shall be drawn from the US Treasury unless it's part of an appropriation made by law, which applies to unit funds
- Only authorized personnel with written authorization may obligate public moneys
- Cardholders (CH) cannot exceed the limits established by the Approving Official (AO)

Anti-Deficiency Act (ADA) (cont'd)

- Do not authorize or incur obligations without first getting certification that sufficient funds are available:
  - CH checks with AO for funds availability
  - AO verifies funds are available and that the purchase may or may not occur
  - Shall not exceed the appropriated funds amount as established on an AF Form 4009 - unit's purchase card program account

Anti-Deficiency Act (ADA) (cont'd)

- Delegation of Authority Letter
  - Cardholders are given authorization to make buys and set up as buying agents
  - Approving Officials given written authorization to control cardholders purchases
  - Signed by 10 MSG/LGC Chief, Contracting Division

Standard Procurement Rules

- Federal Acquisition Regulation and the Anti-Deficiency Act
- Do Not Split Requirements
- Funds Available
- Restrictions of O&M Funds

Affirmative Procurement Program

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Affirmative Procurement Program

- Purpose: Ensures items composed of recovered materials (recycled content products) will be purchased to maximum extent practicable.
- Mandatory requirement
- Base wide guidance forthcoming.

Affirmative Procurement Program

- Authority:
  - Resource Conservation & Recovery Act (RCRA), Sec. 6002
  - Executive Order 13101, “Greening the Gov. Through Waste Prevention, Recycling & Federal Acquisition”
  - EPA Comprehensive Procurement Guidelines
  - Office of Federal Procurement Policy, Ltr 92-4
  - Federal Acquisition Regulation (FAR)

Affirmative Procurement Program

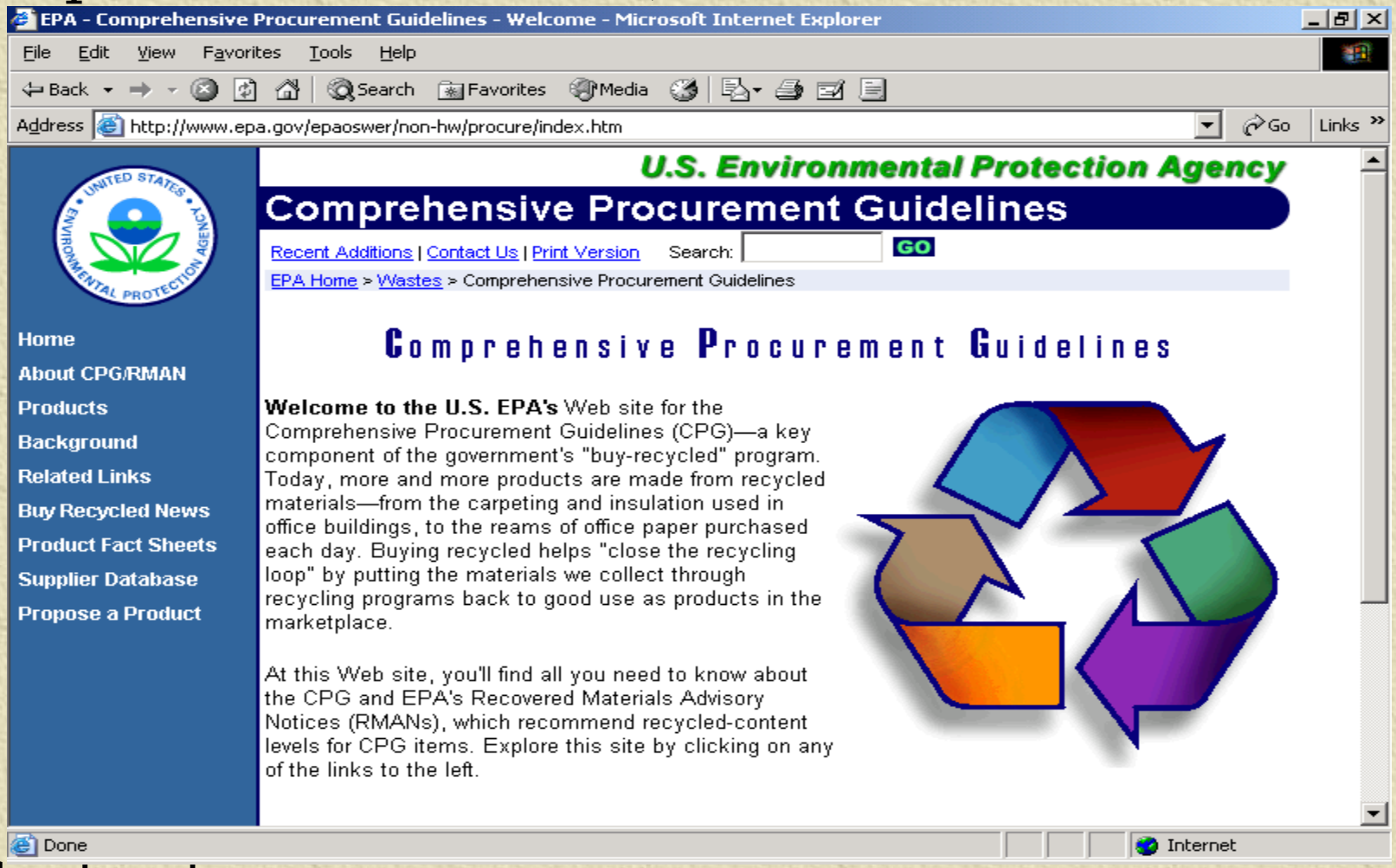
- Applicability: Applies to all procuring agencies…
  - That use appropriated Federal funds for such purchases
  - Or any person contracting with any such agency with respect to work performed under such contract
  - If recycled more expensive, you must buy it.

Affirmative Procurement Program

- Types of Products
  - Paper & Paper Products (printing/writing, tissue, paper towels, etc.)
  - Vehicular Products (engine oils, hydraulic fluids, gear oil, retread tires, etc.)
  - Construction Products (Cement/Concrete, fiberboard, polyester carpet, rubber/plastic floor tiles
  - Transportation Products (traffic cones/barriers)

Sources of Assistance

(http://www.epa.gov/epaoswer/non-hw/procure/ index.htm)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Product Fact Sheets
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Propose a Product
Comprehensive Procurement Guidelines
Welcome to the U.S. EPA's Web site for the Comprehensive Procurement Guidelines (CPG)—a key component of the government's "buy-recycled" program. Today, more and more products are made from recycled materials—from the carpeting and insulation used in office buildings, to the reams of office paper purchased each day. Buying recycled helps "close the recycling loop" by putting the materials we collect through recycling programs back to good use as products in the marketplace.
At this Web site, you'll find all you need to know about the CPG and EPA's Recovered Materials Advisory Notices (RMANs), which recommend recycled-content levels for CPG items. Explore this site by clicking on any of the links to the left.
Done
Internet

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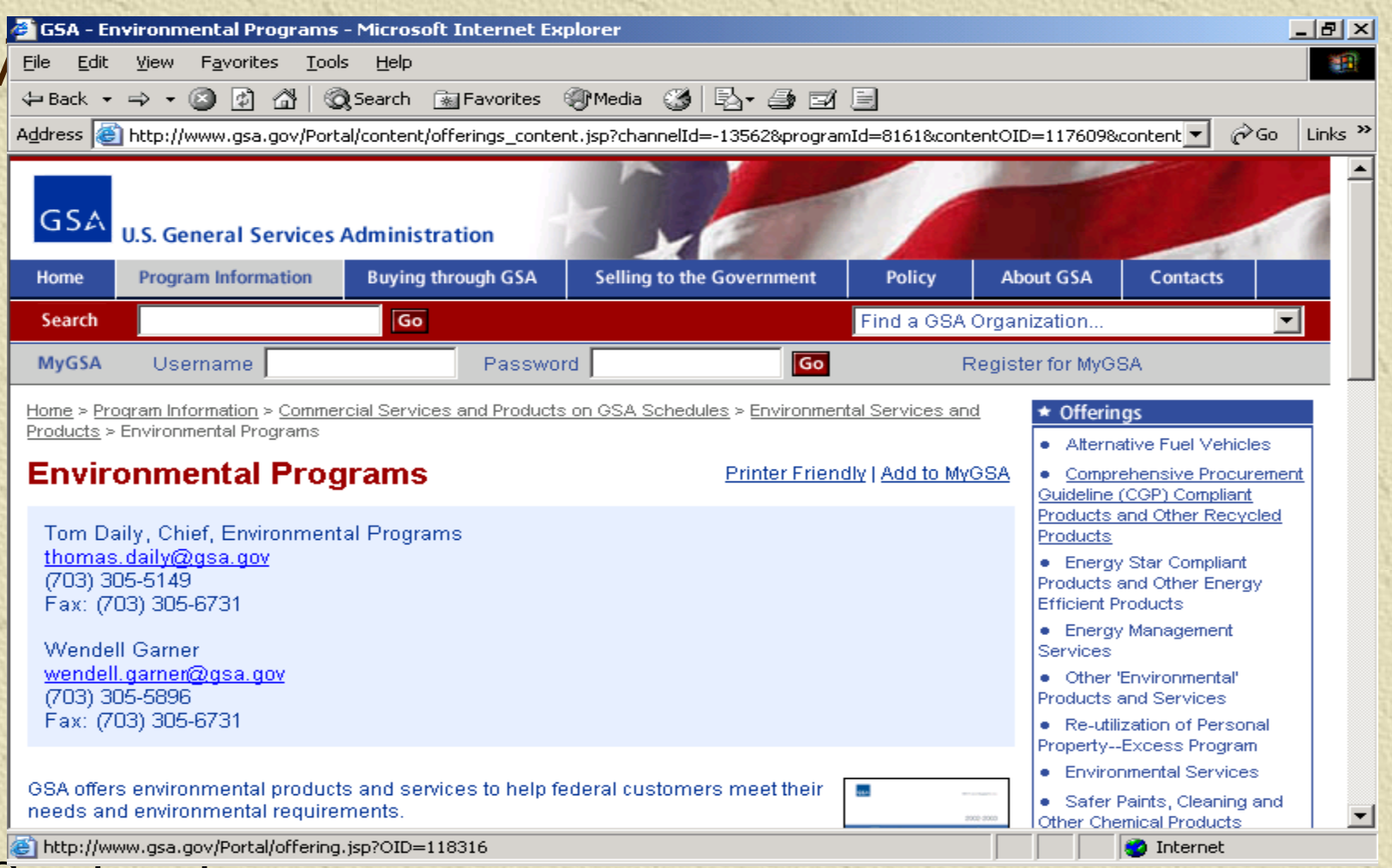
Sources of Assistance (http://www.fss.gsa.gov/en



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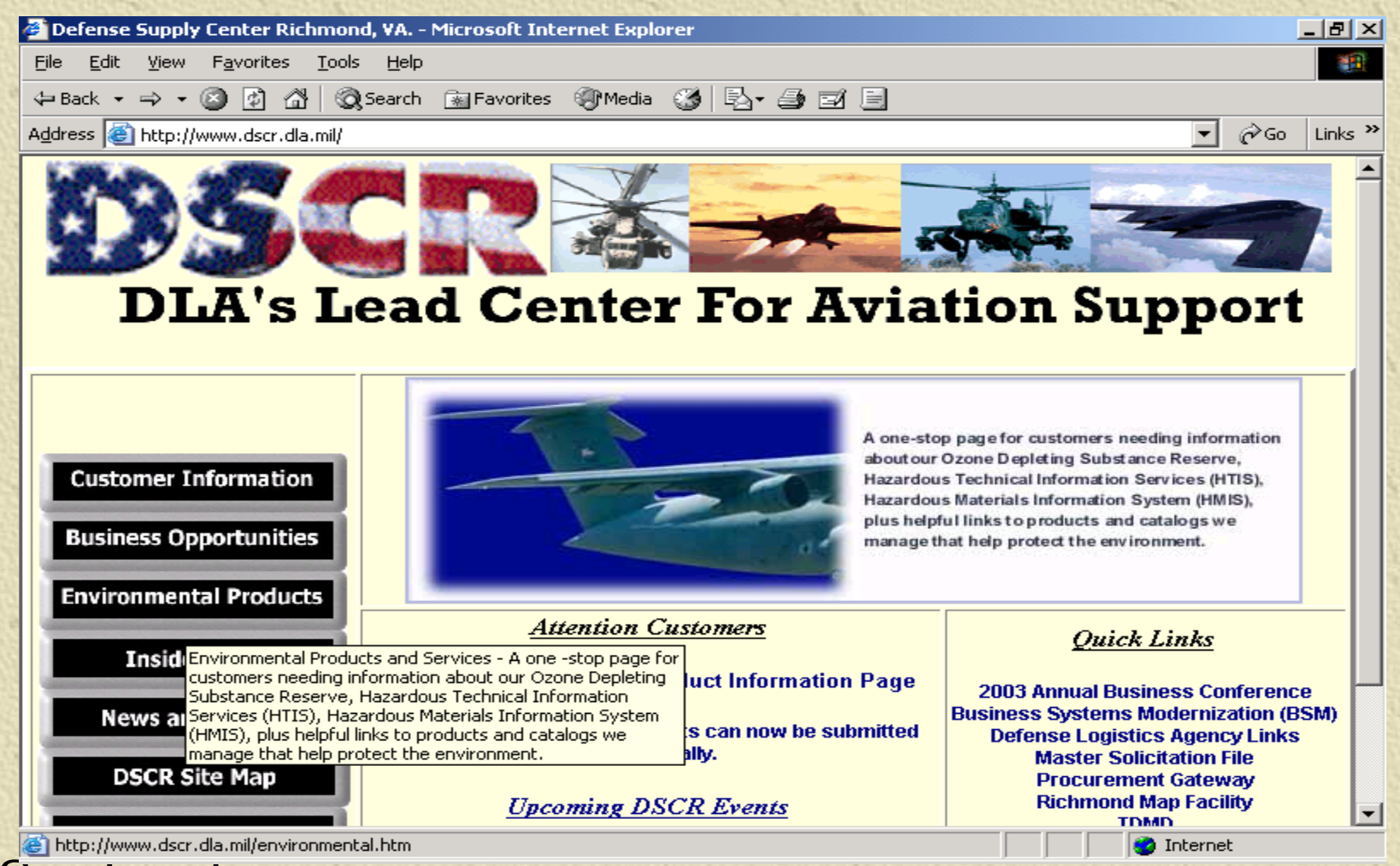
Sources of Assistance (http://www.dla.mil/dscr)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Module Quiz

- As a representative of the U.S. Government, how must you conduct yourself when doing business with vendors/merchants?
- Name one of the four documents that govern the GPC program.
- Can a purchase be made without sufficient funds being available? Doing so is a violation of what legislative act?

Module Quiz

- Can you “divide-up” a purchase into two or more separate parts so that each charge is less than $2,500 even though you know that the total cost of your requirement will exceed $2,500?
- The Affirmative Procurement Program mandates the purchase of what type of products when available?